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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/786,878	07/19/2001	Yoshiharu Dewa	SONYJP-120	7281
530	7590	03/25/2005	EXAMINER	
LERNER, DAVID, LITTENBERG, KRUMHOLZ & MENTLIK 600 SOUTH AVENUE WEST WESTFIELD, NJ 07090			QURESHI, SHABANA	
			ART UNIT	PAPER NUMBER
			2155	

DATE MAILED: 03/25/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/786,878

Applicant(s)

DEWA, YOSHIHARU

Examiner

Shabana Qureshi

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 July 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>1/3/02, 7/19/01</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.
2. Acknowledgment is made of applicant's claim for priority under 35 U.S.C. 119(a)-(d) based upon an application filed in Japan on July 12, 2000. A claim for priority under 35 U.S.C. 119(a)-(d) cannot be based on said application, since the United States application was filed more than twelve months thereafter.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-11 are rejected under 35 U.S.C. 102(e) as being anticipated by Guy Middleton (WO 00/770770, hereinafter "Middleton").

As per claim 1, Middleton teaches a distribution contents forming method of forming distribution contents, comprising the steps of:

searching the inside of a script constructed by a plurality of characters or character strings formed as one of modules constructing the distribution contents and extracting the characters or

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character string having high redundancy (page 6, lines 5-11; page 8, paragraph 1; page 10, paragraph 2-3; file is analyzed for high redundancy characters); and

replacing the characters or character string of the high redundancy extracted in the script with the characters or character string having low redundancy (page 6, lines 5-11; page 11, paragraph 2; high redundancy characters are replaced with low redundancy characters, “replacing the most commonly occurring segments with control codes specific to that matter being replaced to create a compression string of uncompressed textual matter and control codes”).

As per claim 2, Middleton teaches a distribution contents forming method according to claim 1, further including a step of temporarily storing the distribution contents obtained after the replacement before distributing the contents (page 6, paragraphs 2-3).

As per claim 3, Middleton teaches a distribution contents forming method according to claim wherein the characters or character string of the high redundancy includes a function name or a variable name (page 6, lines 25-32; page 10, paragraph 2).

As per claim 4, Middleton teaches a distribution contents forming method according to claim wherein in the step of replacing the characters or character string of the high redundancy with the characters or character string of the low redundancy, the use of a system reservation word as a character string of the low redundancy is eliminated (page 6, lines 5-11; page 8, paragraph 1; page 10, paragraph 2-3; file is analyzed for high redundancy characters).

As per claim 7, Middleton teaches a distribution contents forming method according to claim 1, further comprising a step of storing an appearance frequency in the script with respect to each of the characters or character string extracted in the step of extracting the characters or character string of the high redundancy, and wherein in the step of replacing the characters or character string of the high redundancy with the characters or character string of the low redundancy the characters or character string having a large appearance frequency is replaced with the characters or character string whose number of characters is small (page 6, lines 13-18; page 8, paragraph 2; page 10, paragraphs 2-3).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 5-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Guy Middleton (WO 00/770770, hereinafter "Middleton").

As per claim 5, Middleton teaches a distribution contents forming method according to claim 1. Middleton does not explicitly state that the method includes extracting a sentence constructed by the characters or character string which is not concerned with processes which are

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executed on the reception side of the distribution contents; and deleting the extracted sentence.

However, official notice is taken that it is common and well known in the art of compression that removing comments greatly reduces the size of the file as they are unnecessary to the executable functions.

As per claim 6, Middleton teaches a distribution contents forming method according to claim 5. Middleton does not explicitly state that the method includes the sentence constructed by the characters or character string which is not concerned with processes which are executed on the reception side of the distribution contents is a comment sentence divided by a pre-determined delimiter. However, official notice is taken that it is common and well known in the art to use delimiters to indicate that comments follow the delimiter and will not be executed by a compiler.

Conclusion

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shabana Qureshi whose telephone number is (571) 272-3990. The examiner can normally be reached on Monday - Thursday, 9:30 am to 6:30 pm.

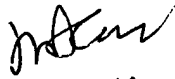
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain T. Alam can be reached on (571) 272-3978. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Shabana Qureshi
Examiner
Art Unit 2155

SQ
March 19, 2005


HOSAIN ALAM
ADVISORY PATENT EXAMINER